



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

Agenda

Meeting of July 21, 2004

10:00 a.m., Commission Offices, 242 State Street, Augusta, Maine

ROUTINE BUSINESS

1. Ratification of minutes of June 9, 2004 meeting

NEW BUSINESS

2. Contributions by Lobbyists and Lobbyist Associates

Three legislators, Representatives Janet Mills, Thomas Saviello, and Ed Suslovic accepted contributions from lobbyists or lobbyist associates during the Second Regular Session of the 121st Legislature. The legislators' acceptance of the contributions – and the making of the contributions – appear to be prohibited by Title 1 M.R.S.A. §1015(3). All three legislators have responded that they intended to comply with the restriction, and did not knowingly accept contributions from lobbyists during the session. Rep. Saviello requested that his matter be tabled until the next meeting of the Commission, currently scheduled for August 11.

3. Request for Guidance from Trade Associations on Independent Expenditures

A number of trade associations have requested guidance regarding the 2003 change in the law of independent expenditures. Because of this change, communications in the last 21 days before an election that refer to a candidate may be presumed to be reportable independent expenditures that will trigger matching funds – even if the communications do not expressly advocate the election or defeat of a candidate. The staff has attached a memo and draft response.

4. Filing Deadline for Independent Expenditures in Excess of \$250

Under the Commission's Rules, independent expenditures in excess of \$250 have been required to be reported within 48 hours of making the expenditure. When the Commission completed its rulemaking in January 2004, it considered amending the requirement to 24 hours but did not because it was unknown whether the Legislature was in favor of the Commission's bill changing a number of other 48-hour deadlines to 24 hours. At the end of April, the Legislature passed the Commission's bill. The Commission could now, if it wishes, amend the 48-hour rule to 24 hours.

5. Section 527 Organizations

At the request of the Chair, the staff will discuss the accountability of Section 527 organizations for reporting contributions and expenditures in the 2004 state elections.

6. Meeting Dates

The Commission staff proposes the following dates for the remaining 2004 Commission meetings. During the last 60 days before the November 2 general election, the Commission is required to meet every two weeks.

August 11
September 8
September 29
October 13
October 27
November 10
December 1

7. Maine Clean Election Act Candidates in Recounts

Several primary election recounts were performed by the Secretary of State. Three of these races will be considered by the Supreme Court on July 21. Candidates who participated in the Maine Clean Election Act have had difficulty paying for recount expenses (particularly legal fees) because they depleted their primary election funds prior to the election. At least one candidate and one advisor would like to address the Commission regarding the issue, but their schedules on July 21 are uncertain because of the Supreme Court hearing.

8. Other

Miscellaneous as needed.

EXECUTIVE SESSION

9. Executive Session/Personnel Matter

If necessary.

ADJOURNMENT